

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

BERNATELLO'S PIZZA, INC.,

Plaintiff,

v.

HANSEN FOODS, LLC,

Defendant.

ORDER

16-cv-65-jdp

Bernatello's seeks an order prohibiting Hansen from distributing brochures that offer to sell BREWHAUS pizza. Dkt. 66. Based on my consideration of the supporting materials attached to the motion (which include Hansen's explanation of the situation, Dkt. 68-6), it appears that the distribution of the brochures would violate the preliminary injunction. Dkt. 51. Bernatello's contends that distribution of the brochures is imminent, so I will grant the order provisionally and give Hansen the opportunity to respond.

I will request a reply or schedule a hearing only if needed. I anticipate that I will be able to issue a prompt final ruling on Bernatello's motion based on the parties' written submissions.

ORDER

IT IS ORDERED that:

1. Plaintiff Bernatello's Pizza, Inc.'s motion, Dkt. 66, is GRANTED provisionally. Defendant Hansen Foods, LLC, may not distribute any brochures using the term BREWHAUS until further order of the court.
2. Hansen may file its response to Bernatello's motion by July 29, 2016.

Entered July 23, 2016.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge